



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,515	07/07/1999	HIROSHI MURAKAMI	31050.6US01	5344

36614 7590 08/13/2003

MANATT PHELPS AND PHILLIPS
ROBERT D. BECKER
1001 PAGE MILL ROAD, BUILDING 2
PALO ALTO, CA 94304

EXAMINER

IRSHADULLAH, M

ART UNIT	PAPER NUMBER
----------	--------------

3623

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/348,515

Applicant(s)

MURAKAMI ET AL.

Examiner

M. Irshadullah

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) 51-63 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on 27 May 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 24.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to amendments filed May 27, 2003.

Summary Of Instant Office Action

3. Applicant's arguments regarding claims 1-35 rejections under U.S.C. 103, Paper No. 21, Office Action mailed February 27, 2003 have been fully considered, deemed unpersuasive and prior rejection is maintained.
-

4. Claims 36-50 have been cancelled.

5. Amendments to claims 1-35 and also the new claims 51-63 (not 51-62 as mentioned in May 27,2003 submission) have been entered.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tagami et al (US Patent 5,812,070) in view of Klein et al (US Patent 5,726,885).

Tagami et al show:

Claim 1. (Twice Amended) A method for allocating electric vehicles, comprising the steps of:

b) selecting a group of vehicles based on vehicle location information, each vehicle having a charge level adequate for the expected distance of the intended trip (Col 3, lines 13-21, 23-26 col 5, lines 12-16 read with lines 63-67 continue col 6, lines 1-2, col 8, lines 26-32. Applicant will appreciate that reference's "position monitoring" function clearly points to the reference system's capability for vehicles' selection based on their position (location), where possible locations (positions) are shown in Fig. 1 (MP, col. 4, line 11); H or M (Fig. 3 (G1), col. 4, lines 44-48; S in G (Fig. 3 (G2), col. 4, lines 57-60; Fig. 5 (43, col. 5, lines 25-27 read with col. 7, lines 11-13 and Fig. 5 (41), col. 7, lines 13-18). Applicant will also appreciably realize that the reference recites " plurality of motor vehicles (Abstract, lines 1-2)" and shows selection of one vehicle, yet the same selection function would be used for selecting a group of vehicles from the plurality of vehicles. Also, applicant will appreciate that the reference recites selection based on "average distance traveled in the past", the system would be effectively used for vehicle selection covering the desired/expected journey/intended trip); and

c) allocating a vehicle having a highest level of charge in the selected group (Col 6, lines 11-15);

Tagami et al do not explicitly show the following feature:

a) having a user enter an expected distance of an intended trip.

However, Klein et al teach the same (Col 1, lines 6-9,15-17, col 3, lines 1-2, 5-6, col 2, lines 61-62, col 4, lines 21-31 recited with lines 35-37).

It would have been obvious to one of ordinary skill in relevant art at the time of applicant's invention to incorporate Klein et al's feature into Tagami et al's invention, because it would save the user/renter from being stranded in-between and facing an untoward situation.

Claim 2. (Twice Amended) A method for allocating one or more vehicles from a fleet of electrically powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time, the method comprising:

b) selecting a group of one or more vehicles from the fleet based on vehicle location information (See discussion in Applicant's claim 1b) above), each selected vehicle having an SOC sufficient to meet the travel request (Tagami et al: Col 3, lines 13-21, col 5, lines 63-67 continue col 6, lines 1-2, col 8, lines 26-32. Applicant will appreciably realize that the reference recites " plurality of motor vehicles (Abstract, lines 1-2) " and shows selection of one vehicle, yet the same selection function would be used for selecting a group of vehicles from the plurality of vehicles); and

c) allocating a vehicle having a highest SOC in the group for the user (Col 6, lines 11-15);

Tagami et al do not explicitly show the undernoted feature:

a) receiving a travel request from a user.

However, Tagami et al teach communication between the control center (MC) and user vehicle (C) (Fig. 1 (M, H and C to A at MC) using the on-board computer 21 of C (Col 4, lines 17-19 read with lines 30-33).

Official notice is taken that it would have been obvious to one of ordinary skill in the relevant art at the time of instant invention to advantageously employ/use the reference's communication system by the user to send a request/travel request and MC receiving the same.

Claims 3 and 10. (Once Amended) A method as recited in claim 2/19, wherein:

receiving a travel request comprises receiving information associated with an expected distance of travel (See discussion of Applicant's claim 2a. The request relates to above discussed in 1a) "expected distance of the intended trip (or distance)); and

selecting a group comprises selecting one or more vehicles, each with a sufficient S OC to travel the expected distance (See discussion of Applicant's claim 2b) above).

Claims 4 and 11. (Once Amended) A method as recited in claim 2/19, wherein:

receiving a travel request comprises receiving information associated with an expected time period of use (See discussion of applicant's claim 2a) above and Klein et

al's col. 1, lines 15-16, wherein "vehicle's hiring preferably for short period" inferring "expected time period of use" and see motivation in claim 1a) above); and

selecting a group comprises selecting one or more vehicles, each with a sufficient SOC to travel for the expected time period (See discussion of applicant's claim 2b) above and Klein et al's col 1, lines 15-16, wherein "vehicle's hiring preferably for short period" inferring "expected time period of use" and see motivation in claim 1a) above).

Claims 5 and 12. (Once Amended) A method as recited in claim 2/19, wherein:

receiving a travel request comprises receiving information associated with an expected destination port and an expected distance of travel beyond a direct route to the destination port (See discussion of Applicant's claim 2a) above and Klein et al's col 6, lines 1-12 and Fig. 2 (H1 and H2), col 7, lines 1-10 and motivation in Applicant's Claim 1a) above. Applicant will appreciate that " information received " would include requested information including expected destination, beyond the direct route); and

selecting a group comprises selecting one or more vehicles, each with a sufficient SOC to travel the combined distance of the direct route to the destination port and expected distance of travel beyond the direct route (See discussion of Applicant's claim 2b) above and Klein et al's col 6, lines 1-12 and Fig. 2 (H1 and H2), col 7, lines 1-10 and motivation in Applicant's Claim 1a) above. Applicant will appreciate that "

information received " would include requested information including expected destination, beyond the direct route).

Claim 6. (Once Amended) A method as recited in claim 2, further comprising identifying the allocated vehicle to the user (Klein et al: Col 3, lines 23-24, col 4, line 52 and col 5, line 41 and motivation in Applicant's claim 1a) above).

Claim 7. (Once Amended) A method as recited in claim 6, wherein identifying the allocated vehicle to the user comprises displaying identification information to the user on a display device (Klein et al: Col 6, lines 1-8, col 4, lines 26-27, col 7, lines 6-7 and motivation in Applicant's claim 1a) above).

Claim 8. (Once Amended) A method as recited in claim 2, wherein said step of receiving a travel request comprises:

displaying a map to the user (Klein et al: Col 6, lines 7-8 and col 7, lines 17-22 motivation in Applicant's claim 1a) above); and

receiving user-selected map locations corresponding to locations on the displayed map through a user-interface associated with the displayed map (Klein et al: Col 6, lines 1-3, col 7, lines 17-21 and claim 7 and motivation in Applicant's claim 1a) above).

Claim 9. (Twice Amended) A method as recited in claim 2, wherein:

receiving a travel request from a user includes:

a) providing a user interface terminal at one or more ports (Tagami et al: Fig. (48), col. 5, line 28 and col 4, lines 17-19. Applicant will appreciate that reference shows one parking port (MP), however, it is a common/customary practice in the vehicle renting business to have multitude of ports for the convenience of customers/renters under central control. Reference would, therefore, have one or more ports like MP);

b) receiving the travel request from a user at the user interface terminal (See discussion of applicant's claim 2a) above and discussion about "interface terminal" in element a) above);

c) communicating the travel request information to a computer (Tagami et al: Fig. 1 (C in H or M to MC via A));

d) selecting a group of one or more vehicles from the fleet including operating the computer to select the group of one or more vehicles (See the discussion in Applicant's claim 1b) above); and

d) allocating a vehicle having a highest SOC in the group includes operating the computer to allocate the (See discussion of applicant's claim 1c) above and Tagami et al: Col 6, lines 11-15).

Claim 13. (Once Amended) A method as recited in claim 19, further comprising identifying the vehicle allocated to the user (See discussion of applicant's claims 6 and 7 above).

Claim 14. (Once amended) A method as recited in claim 9, wherein:

providing a user interface terminal at one or more ports comprises:

a) providing a user interface at a plurality of ports disposed at geographically remote locations relative to each other (Tagami et al: Fig. (48), col. 5, line 28 and col 4, lines 17-19. Applicant will appreciate that reference shows one parking port (MP), however, it is a common/customary practice in the vehicle renting business to have multitude of ports for the convenience of customers/renters under central control.

Reference would, therefore, have one or more ports like MP and Klein et al: Fig. 2, col 6, lines 46-53, col 7, lines 1-10, col 8, lines 1-8) and motivation in Applicant's claim 1b) above);

b) defining, for each port, a vehicle search group (VSG) in which more than one and less than all of the vehicle from the fleet may be located at any given time (Tagami et al: Abstract, lines 1-3, col 2, lines 24-33 (specifically lines 25-26 and 30-31).

Recitation of "system providing for renting a plurality of motor vehicles" inferring the availability of a "defining" function. Applicant will appreciably realize that in computer art same function/program etc is used for various purposes, and reference's dividing/grouping means would be advantageously used to grouping/dividing the plurality of vehicles into groups according to some defined criteria including travel information received); and

c) operating the computer to select a group of one or more vehicles from the fleet comprises selecting the group from the VSG of the port from which travel information is received (See discussion of the 14b and col 2, lines 60-61).

Claim 15. (Once Amended) A method as recited in claim 14, wherein defining a VSG includes including vehicles parked at a parking facility at the port in the VSG (Tagami et al: Col 5, lines 20-21 and Figs. 4 and 5 and vehicles parked in main parking port MP are "parked vehicles" at above discussed SVG).

Claim 16. (Once Amended) A method as recited in claim 15, wherein defining a VSG further includes including vehicles due to arrive at the port within a preset time period in the SVG (Tagami et al: Col 5, line 22, col 6, lines 50-53. Applicant will appreciate that in vehicle renting business return of vehicles in a fixed/preset time is a common practice; e. g., examiner reaches parking area between 9:00 a.m. and 5:00 p.m.).

Claim 17. (Once Amended) A method as recited in claim 16, wherein defining a VSG further includes including vehicles due to become sufficiently charged at the port within a preset time period in the VSG (Tagami et al: Col 5, lines 25-27. Applicant will appreciate that computer 60's determining function would be used to find as to which vehicle(s) would be due to become sufficiently charged).

Claim 18. (Once Amended) A method as recited in claim 15, wherein defining a VSG further includes including vehicles due to become sufficiently charged at the port within a preset time period in VSG (Tagami et al: Col 5, lines 25-27. Applicant will

appreciate that computer 60's determining function would be used to find as to which vehicle(s) would be due to become sufficiently charged).

Claim 19. (Twice Amended) A method for allocating one or more vehicles from a fleet of electric powered vehicles to one or more users, each vehicle having a state of charge (SOC) at any given time and a charging rate dependent upon the SOC, wherein a plot of the SOC of the vehicle being charged versus time defines a generally linear region below SOC level and a nonlinear region above the SOC level, the method comprising:

a) receiving a travel request from a user (See discussion of applicant's claim 2a) above).

b) selecting a group of one or more vehicles from the fleet based on vehicle location information (See the discussion in Applicant's claim 1b) above), each selected vehicle having a SOC sufficient to meet the travel request from the user (Tagami et al: Col 3, lines 13-21, col 5, lines 63-67 continue col 6, lines 1-2, col 8, lines 26-32. Applicant will appreciably realize that the reference recites "plurality of motor vehicles (Abstract, lines 1-2)" and shows selection of one vehicle, yet the same selection function would be used for selecting a group of vehicles from the plurality of vehicles); and

c) allocating a vehicle within the group having an SOC above the level (Tagami et al: Col. 3, lines 13-21, wherein "system's selecting a vehicle for the user" infers "allocating" it and "vehicle with charge sufficient to travel long distance-lines 18-21"

inferring SOC level above as compared to the vehicle whose SOC level allows running for short distance-lines 13-14); and

d) in response to no vehicles within the group have an SOC above the SOC level, allocating the vehicle within the group having a highest SOC for the user (Tagami et al: Col 6, lines 12-15, wherein "fully charged" inferring battery is "highest" charged (or having highest SOC).

Claim 20. (Twice Amended) A vehicle allocation system for allocating one or more vehicles from a fleet of electrically powered vehicles to one or more users, wherein each vehicle has a state of charge (SOC) at any given time, the vehicle allocation system comprising:

a) one or more ports at geographically remote locations relative to each other, each port having a user-interface terminal for receiving a travel request from a user (Tagami et al: Fig. (48), col. 5, line 28 and col 4, lines 17-19. Applicant will appreciate that reference shows one parking port (MP), however, it is a common/customary practice in the vehicle renting business to have multitude of ports for the convenience of customers/renters under central control. Reference would, therefore, have one or more ports like MP and Klein et al: Fig. 2, col 6, lines 46-53, col 7, lines 1-10, col 8, lines 1-8);

b) a computer system in communication with at least one user interface terminal and programmed, in response to a travel request received from a user, for selecting a group of one or more vehicles from the fleet based on vehicle location information (See the discussion of Applicant's claim 1b) above), where each selected vehicle has an

Art Unit: 3623

SOC sufficient to meet the travel request from the user, and for allocating the vehicle having the highest SOC in the group for the user (Tagami et al: Col 3, lines 13-21, col 5, lines 63-67 continue col 6, lines 1-2, col 8, lines 26-32. Applicant will appreciably realize that the reference recites “plurality of motor vehicles (Abstract, lines 1-2)” and shows selection of one vehicle, yet the same selection function would be used for selecting a group of vehicles from the plurality of vehicles; and Col 6, lines 11-15, wherein “fully charged” inferring “having highest” charge (or SOC)).

Claim 21. A system as recited in claim 20, wherein said computer system comprises a central station computer system in communication with a plurality of user interface terminals at a plurality of said one or more ports (Tagami et al: Fig. 1 (MC and MP), col 4, lines 8-11. Applicant will appreciate that reference shows one parking port (MP), however, having multiple ports at various locations is a common/customary practice in vehicle renting business).

Claim 22. (Once Amended) A system as recited in claim 20, wherein:
said user interface terminal is configured to receive the travel request including information associated with an expected distance of travel (See discussion of applicant's claim 3a) above and see discussion about “user terminal communicating with computer” in claim 20a) above); and

said computer system is programmed for selecting the group of one or more vehicles, each with a sufficient SOC to travel the expected distance (See the discussion

of applicant's claim 3b) above see discussion about "user terminal communicating with computer" in claim 20a) above).

Claim 23. (Once Amended) A system as recited in claim 20, wherein:

said user interface terminal is configured to receive the travel request including information associated with an expected time period of use (See discussion of applicant's claims 4a) and 20b) above); and

said computer system is programmed for selecting the group of one or more vehicles, each with a sufficient SOC to travel for the expected time period (See discussion of applicant's claims 4b) and 20b) above).

Claim 24. (Once Amended) A system as recited in claim 20, wherein:

said user interface terminal is configured to receive the travel request including information associated with an expected destination port and an expected distance of travel beyond a direct route to the destination port (See discussion of applicant's claims 20b) and 5a) above); and

said computer system is programmed for selecting the group of one or more vehicles, each with a sufficient SOC to travel the combined distance of the direct route to the destination port and expected distance of travel beyond the direct route (See discussion of applicant's claims 20b) and 5b) above).

Claim 25. (Once Amended) A system as recited in claim 20, wherein each one or more ports includes a display device for displaying identification information of allocated vehicle to a user (See the discussion of applicant's Claims 13 and 8 above).

Claim 26. (Once Amended) A system as recited in claim 20, wherein each of user interface terminals comprises:

a display device for displaying a map to the user (See discussion of applicant's claim 8a) above); and

an interface for receiving user-selected map locations corresponding to locations on the displayed map from the user (See the discussion of applicant's claim 8b) above).

Claim 27. (Once Amended) A system as recited in claim 21, wherein said computer system is programmed to:

a) define, for each port, a vehicle search group (VSG) in which more than one and less than all of the vehicles from the fleet may be located at any given time (See the discussion of applicants claim 14b) above); and

select a group of one or more vehicles by selecting the group from the VSG of the port from which travel information is received (See the discussion of applicant's claim 14c) above).

Claim 28. (Once Amended) A system as recited in claim 27, wherein:

each port includes a vehicle parking facility at which one or more vehicles may be parked at any given time (See discussion of applicant's claim 14b) above); and

said computer is programmed to define the VSG of a given port further including vehicles parked at a parking facility at the port (See the discussion of applicant's claim 15).

Claim 29. (Once Amended) A system as recited in claim 28, wherein:

each port includes at least one vehicle charging facility (Tagami et al: Fig. 5 (44));
and

said computer is programmed to define the V S G of a given port further including vehicles due to become sufficiently charged at the port within a preset time period (See the discussion of applicant's claim 17).

Claim 30. (Once Amended) A system as recited in claim 28, wherein said computer is programmed to define the VSG of a given port further including vehicle due to arrive at the port within a preset time period (See the discussion of applicant's claim 16).

Claim 31. (Once Amended) A system as recited in claim 20, said computer is programmed for:

allocating a vehicle within the group having an SOC above a predetermined SOC level (See discussion of applicant's claim 19c) above);

in response to no vehicles within the group have an SOC above the predetermined SOC level, allocating a vehicle within the group having the highest SOC for the user (See discussion of applicant's claim 19d) above).

Claim 32. (Once Amended) A system as recited in claim 20, further comprising a plurality of vehicle subsystems associated on a one-to-one basis with the vehicles from the fleet, each vehicle subsystem including:

a status sensor configured for detecting the SOC of the vehicle (Tagami et al: Col. 4, lines 17-19, wherein "on-board computer" of the vehicle inferring "a sensor" and said computer would be used for detecting vehicle charge (SOC); and

a data transmitter configured to for transmitting information corresponding to the detected SOC to the computer system (Tagami et al: Col 4, lines 17-19 and Fig. 1 (C at H or M to MC via A) wherein "on-board computer using communicating unit" functioning as data transmitter and would transmit above discussed detected vehicle SOC).

Claim 33. (Once Amended) A system as recited in claim 20, wherein:

said user interface terminal is configured to receive the request including user identification information (Tagami et al: Col. 4, lines 17-18, and col. 5, lines 40-45, wherein "on-board computer" inferring provision of a display (terminal) and "password" infers user's identification); and

said computer system is programmed for allocating the vehicle further in response to the user identification information (Tagami et al: Col 5, lines 40-58).

Claim 34. (Once Amended) A system as recited in claim 33, wherein said computer system includes a storage of vehicle preference information associated with each user identification and is programmed for allocating the vehicle in accordance with the user identification information and the vehicle preference information (Tagami et al: Col 5, lines 40-58. An storage (CD, HD or Diskette) is an integral part of a computer and would store claimed information. "computer selecting" the vehicle for the user "based on recorded past usage information (Col. 2, lines 61-62) inferring "stored user preference").

In the following claim:

Claim 35. (Once Amended) A system as recited in claim 34, wherein the vehicle preference information comprises information number of vehicle wheels, number of vehicle doors, preferred minimal SOC or range of SO s, distance usually traveled, and usual duration of vehicle use.

Tagami et al do not teach the claimed features:

vehicle preference information comprises information number of vehicle wheels, number of vehicle doors, preferred minimal SOC or range of SO s, distance usually traveled, and usual duration of vehicle use.

However, said features are notoriously known and practiced in vehicle hiring/renting art.

It would have been obvious one of ordinary skill in the vehicle renting art at the time of applicant's invention to incorporate the known practice into Tagami et al's

invention, because it would provide a means for achieving customer satisfaction entailing requisite financial gains.

Allowable Subject Matter

8. Claims 51-63 are objected to as being dependent upon a rejected base claims 1, 2, 19 and 20, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art, Tagami et al (US Patent 5,812,070) and Klein et al (US Patent 5,726,885), severally or in combination do not teach or suggest:

Including vehicles into a search group of a port, if the vehicle is determined (processed) to be located at the port's charging facility and has a charging time (time period) expiring (due to expire) within a preset (predetermined) time.

Response to Arguments

10. Applicant's arguments filed May 27, 2003 have been fully considered, deemed unpersuasive, and are responded below.

Applicant repeatedly argues that:

a) Neither Tagami et al nor Klein et al teach or suggest: "allocating vehicles of high SOC to users to improve the charging efficiency of vehicle batteries (Page 29, lines 16-21)".

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore, applicant is directed to Tagami et al's col. 6, lines 11-15, wherein lines 12-15 recite "if user's traveled distance is long, computer 60 selects a vehicle C for the user whose battery is fully charged", wherein "selecting for the user" infers "allocating" and "fully charged" clearly inferring a battery having a "high SOC". Thus, Tagami et al teach the feature in question.

b) Klein does not teach: "having a user enter an expected distance of an intended trip (Page 29, lines 22-23)".

In this respect, applicant is referred to Klein et al's col. 2, lines 61-62, col. 4, lines 35-37 and lines 29-31, wherein "Additionally, the user (N) can communicate with the disposition center (Z) via a telephone line including a modem" inferring that user has the ability to communicate his reservation request to the center (Z) using telephone keys (entering means) via modem. Moreover, cited "it is possible to reserve a selected vehicle for a desired journey-col. 2, lines 61-62" and "user (N) can reserve vehicle for a

desired hire journey", wherein "desired journey" inferring both the "distance (or expected distance)" and "intended trip". Klein, therefore, teaches above stated feature.

The combination of Tagami et al and Klein et al teach the invention as claimed.

In the light of above facts, examiner respectfully states that applicant's arguments have been fully considered, deemed unpersuasive and the prior rejections are maintained.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Irshadullah whose telephone number is (703) 308-6683. The examiner can normally be reached on M-F from 11:00 am to 5:30 pm.

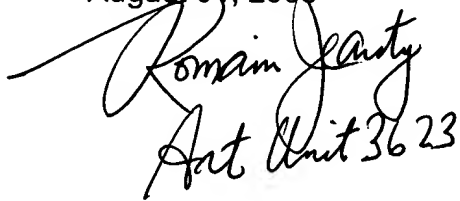
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (703) 305-9643. The fax numbers for the organization are (703) 872-9326 and for after Final (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-3900.



M. Irshadullah

August 04, 2003



Romain Jasty
Art Unit 3623